



Government of Jammu and Kashmir
Department of Forest, Environment & Ecology
Civil Secretariat, Srinagar
www.jkforestadm.nic.in

Subject: - Use of 0.4751 Ha. forest land for quarry purpose for construction of Tunnel T-14 and Tunnel T-15 and Bridge No.61 of USBRL Project by AGE-PATEL JOINT VENTURE, in Comptt. No. 52/Ar Tehsil Gool, in Mahore Forest Division.

Reference: (i) Minutes of the 103rd meeting of the Forest Advisory Committee held on 08.01.2018 under the Chairmanship of Chief Secretary J&K, issued by the Chief Conservator of Forests/Nodal Officer(FCA) vide No. PCCF/FCA/ 2540/823-46 dated: 30.01.2018.

(ii) State Administrative Council Decision No. 05/01/2018 dated 28.06.2018.

(III) Letter No. PCCF/FCA/2456/3991-95 dated 21.07.2018 received from Pr. Chief Conservator of Forests. (HoFF), J&K.

Government Order No. ²⁶³ FST of 2018
Date:- 09 -08-2018

Sanction is hereby, accorded to the Use of 0.4751 Ha. forest land for quarry purpose for construction of Tunnel T-14 and Tunnel T-15 and Bridge No.61 USBRL Project by AGE-PATEL JOINT VENTURE, in Comptt. No. 52/Ar Tehsil Gool, in Mahore Forest Division with the following particulars

Details of the Current Proposal:

1.	User Agency/Applicant	AGE- PATEL JOINT VENTURE (work allotted by IRCON)
2.	Location	Comptt. : 52/Ar Range : Gool Block : Sangladan Division : Mahore Forest Division District : Ramban.
3.	Objective	To meet the requirements of good quality aggregates for construction of Tunnel T-14 and T-15 and bridge No:61 on Katra-Banihal Section of USBRL Project.

S.O.C.P.E.A./Sr.A.C.A)

For n/a

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4. Salient Features of the project:					
I	Forest land required for quarry	0.4751 Ha.			
II	Total forest area involved in the proposed project	0.4751 Ha.			
III	Protection work	DFO Mahore has recommended construction of R/walls, B/walls and gabion structure to check soil erosion.			
5. Crop Density of the area		Open			
6.	a	Whether the forest land proposed to be used for non forest purpose forms part of a natural reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or any area lying in severely eroded catchment.	No		
	b	Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.	No		
	c	Whether the Principal Chief Conservator of Forests had certified that it has, considered all other alternatives and that no other alternative in circumstances are feasible and that the required area is the minimum needed for the purposes, and,	Yes		
	d	Whether the department or authority requisitioning forest land for non forest uses undertakes to provide at its own cost acquisition of an equivalent area and afforestation thereof.	Compensatory Afforestation not applicable as the area is less than one hectare. However, the user agency has undertaken to pay the NPV as per the Hon'ble Supreme court directions.		
7. Number of Trees / Poles/ Saplings involved:					
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	Chir	2	2	7	11
	Broad leaved -Kau (<i>Olea Cuspidata</i>) and Robinia	0	10	16	26
	Total	2	12	23	37

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8. Net Present Value of forest land involved:					
Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
52/Ar	0.4751	Open	V	6.57	3,12,140/-
9. Compensatory Afforestation					
10. Compensation of trees/poles/saplings					Nil. As the area is less than 1 Ha.
11. Road side Avenue Plantation					Rs.21,808/-
					Rs.1,00,000/-

The user agency has made the payment in full of the amount summarized below as reported by PCCF vide letter mentioned at Ref. (iii).

S.No.	Component	Amount
i.	Net Present Value	Rs. 3,12,140/-
ii.	Compensation of trees	Rs. 21,808/-
iii.	Road side Avenue Plantation	Rs. 1,00,000/-
Total		Rs. 4,33,948 /-

Terms and Conditions:-

1. The proprietary and legal status of forest land shall remain unchanged.
 2. The User Agency and /or its contractors will not bring any forest area under their use, other than the actual area/activity approved by the Government for the instant proposal. Any laxity or deviation on this account by the User Agency or its contractors will attract penal provisions of the relevant Acts/legal provisions.
 3. The forest land shall be utilized only for the purpose for which it has been indented.
 4. The forest land shall not be mortgaged, reassigned, leased or sub-leased by user agency in any manner what so ever to any other agency.
 5. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
 6. (i)The extraction of the trees /poles/saplings shall be done by the State Forest Corporation/Divisional Forest Officer concerned on the basis of markings administratively approved by the Chief Conservator of Forests, Jammu. The marking for tree felling will be done in consultation with the user agency and effort shall be made to save maximum number of trees/poles/saplings. The cost of extraction shall be paid by the User Agency directly to the agency executing the extraction.
- (ii)The fundamental rule for marking of trees, enumerated during processing of the proposals, will be to save maximum number of trees without compromising with the construction and maintenance of the approved project structure and no

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trees/poles/saplings will be felled/cut/pruned/ lopped for purposes/project activities other than those approved/sanctioned.

7. The User Agency shall construct retaining walls/breast walls and gabions as per approved plan and design of the project and take all necessary steps to check soil erosion which may result due to proposed quarry of stone. The Forest Department shall take due cognizance under law for any laxity on this account on the part of the User Agency which might trigger soil erosion in the area.
8. Royalty as fixed by the Competent Authority for raw material extracted from quarrying shall be paid by the User Agency.
9. The raw material extracted from rock quarrying shall be used only for the Railway construction work by the User Agency.
10. The User Agency shall comply with all the legal provisions pertaining to mining and shall obtain all the necessary clearance from competent authority as required for mining including environmental clearance and consent from Pollution Control Board
11. As and when the work is completed the quarry will be closed and accordingly the forest land will be handed over to the Forest Department.
12. Any damage done to the forest by the User Agency or its contractors shall be charged from the User Agency @ 10 times the standard rate of 1992.
13. The forest land so allowed for use shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency.
14. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.
15. The User Agency shall obtain the Mining Plan for rehabilitation of mined area approved by IBM,Nagpur.
16. A Safety Zone of 7.5 m all along the mining area will be fenced at the cost of User Agency. The User Agency shall also deposit funds with forest department for protection and regeneration of safety zone area.
17. The User Agency shall bear the cost of afforestation @ Rs 1 Lac per hectare over one and half times of the safety zone area in degraded forest elsewhere in the division.

By order of the Government of Jammu & Kashmir.

Sd/-

(Saurabh Bhagat)IAS

Commissioner / Secretary to Government
Forest, Environment & Ecology Department.

Dated:- 09-08-2018.

No:FST/Land/49/2018

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Managing Director, State Forest Corporation, JK, Srinagar.
3. Principal Chief Conservator of Forests, J&K, Srinagar.

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4. Divisional Commissioner Jammu for information.
5. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Srinagar
6. CCF, Jammu.
7. Director, Archives, Archaeology & Museums J&K, Srinagar.
8. Dy. Chief Engineer (Construction) Northern Railway, Sangaldan.
9. Project Director, M/S Age Patel, Joint Venture, Sangaldan.
10. OSD to Hon'ble Advisor (K) for kind information of Hon'ble Advisor.
11. Private Secretary to the Chief Secretary (Chairman FAC).
12. Private Secretary to Comm./Secretary to Government, Department of Forests, Environment & Ecology
13. P.A to Secretary (Technical) Department of Forest, Environment & Ecology.
14. Government order file.(w.2.s.c) / stock file.

Under Secretary to Government
Forest, Environment & Ecology Department

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Government of Jammu and Kashmir
Office of the Principal Chief Conservator of Forests J&K, Srinagar.

No: PCCF/FCA/2540/ **4407-11**

Dated: **10** -08-2018

Copy of above forwarded for further necessary action to the:

1. Chief Conservator of Forests, Jammu.
2. Conservator of Forests, West Circle, Rajouri.
3. Dy. Chief Engineer (Construction) Northern Railway, Sangaldan.
4. Project Director, M/S Age Patel, Joint Venture, Sangaldan.
5. Divisional Forest Officer, Mahore Forest Division.

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10/08/2018
(Ab. Gani) IFS
Chief Conservator of Forests /
Nodal Officer (FCA)

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